

1773



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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/992,049	
	Filing Date	11/21/01	
	First Named Inventor	Bojan Silic	
	Group Art Unit	1773	
	Examiner Name	Han, Younghuie Jessica	
Total Number of Pages in This Submission		Attorney Docket Number	034942-261

ENCLOSURES (check all that apply)		
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034942-000261

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Silic, Bojan
Serial No.: 09/992,049
Filing Date: November 21, 2001
Title: SWITCH MODE POWER SUPPLY AND DRIVING METHOD FOR
EFFICIENT RF AMPLIFICATION
Examiner: Han, Younghuie Jessica
Art Unit: 1773

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RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action mailed March 25, 2004, Applicant provisionally
elects, with traverse, Species I, which includes Claims 1-6, 9 and 10.

In the Office Action it is asserted that there are three patentably distinct species of
the claimed invention. In particular, it is asserted that "Species I" corresponds to Figures
3, 4 and 7; that "Species II" corresponds to Figures 5 and 6; and that "Species III"

corresponds to Figure 8. For the following reasons, Applicant respectfully disagrees and, accordingly, traverses the restriction requirement.

Figure 3 shows a diagram of a switch mode power supply, according to an embodiment of the invention.

Figure 4 shows a waveform diagram of the switch mode power supply in Figure 3.

Figure 5 shows a circuit that may replace the Schottky diode D1 in Figure 3. As explained on page 6, line 16 through page 7, line 9 of the specification, the circuit in Figure 5 may be used in replace of the diode D1 to achieve greater efficiency. Figure 6 is a waveform diagram of the switch mode power supply when the circuit in Figure 5 is used instead of the diode D1.

Figure 7 is a graph comparing power dissipation of the switch mode power supply and driving circuit of the prior art (Figures 1 and 2) with the switch mode power supply and driving circuit shown and described in connection with Figures 3-6.

From the foregoing, it is clear that Figures 3, 4 and 7 do not represent one species and Figures 5 and 6 represent another distinct species. Whereas Figures 5 and 6 show a circuit that may be used in replace of the diode D1 in Figure 3, this does not render Figures 5 and 6 as separate and patentably distinct species.

Figure 8 shows a power amplifier that can employ the switch mode power supply and driving circuit shown and described in connection with Figures 3-7. Whereas Figure 8 illustrates how the switch mode power supply and driving circuit in Figures 3-7 may be

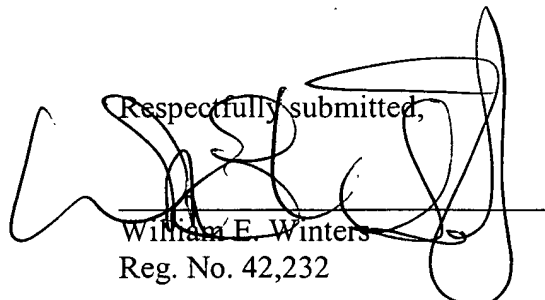
used in an exemplary application, the exemplary application is not a "species" relative to either of the other two alleged "species".

A restriction requirement premised on multiple patentably distinct species can only be made if the claims claim multiple patentably distinct species. Claims 1-6, 9 and 10 are directed at a switch mode power supply and its method of operation. The remaining claims (Claims 7 and 8) are directed at an RF amplification circuit and a method using an RF amplification circuit. However, Applicant believes that Claims 7 and 8 and Claims 1-6, 9 and 10 cannot be considered to represent patentably distinct "species" since they do not appear to belong to any particular genus. Should the Examiner disagree with this assertion, Applicant respectfully requests that the Examiner provide an explanation as to what she considers to be the genus and how the purported species belong to such a genus.

From the foregoing, Applicant respectfully believes that the partitioning of the various figures of the present application into different species is unwarranted. Applicant requests, therefore, that the restriction requirement premised on the existence of different species be withdrawn.

Dated: April 13, 2004

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Respectfully submitted,

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